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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/382,459	08/25/1999	IAN JUSO DEDIC	1267.1013	5256

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EXAMINER

CHANG, EDITH M

ART UNIT	PAPER NUMBER
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2637

DATE MAILED: 01/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/382,459

Applicant(s)

DEDIC ET AL.

Examiner

Edith M Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26,33-38,40 and 41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13 is/are allowed.
- 6) ☒ Claim(s) 15-22,36-38,40 and 41 is/are rejected.
- 7) ☒ Claim(s) 14,23-26,33-35 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. Figure 1 and Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claims 15-22 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim 15 claims the digital circuitry as claimed in claim1, including a plurality of individual circuit units which fails to further limit the subject matter of the claim 1.

Claims 16-22 are dependent on the objected claim 15.

3. Claims 14-26, 33-35, and 37-38 are objected to because of the following informalities:

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Claims 14-16, line 1: "digital" is suggested changing to "digital circuitry".

Claim 23, line 18: "change one" is suggested changing to "change the one", and "the circuitry" is suggested changing to "said digital circuitry".

Claim 25, line 5: "said received" is suggested changing to "the received".

Claim 26, line 6: "independently of the" is suggested changing to "independently of said"; lines 7 & 8: "the digital" is suggested changing to "said digital".

Claim 33, line 10: "second" is suggested changing to "the second"; line 17: "upon one" is suggested changing to "upon said one".

Claims 35 & 38, line 10: "in said" is suggested changing to "in the".

Claim 37, line 4: "a delayed version" is suggested changing to "the delayed version".

Claims 17-22, 24, and 34 are directly or indirectly dependent on the objected claims 15, 23 and 33.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 15-22, <sup>36-38</sup>40, and 41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 15, the phrase "such an" in line 2 and "such a" in line 3, render the claim indefinite because it is unclear whether the limitations following the phrase are part of the

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claimed invention. See MPEP § 2173.05(d). The “such an” and “such a” of claim language have been held to be indefinite because the intended scope of the claim was unclear.

The “a plurality of individual circuit units” does not clearly indicate the relation or the connection to the input signal processing circuit, the first clock element, the second clock element; and the clock generating circuitry of the claim 1.

Claim 36, lines 15-16: “said one or more output signal(s)” and “one or more output signal(s)” lack antecedent bases.

Claim 40, lines 13-14: “one or more output signal(s)” does not clearly indicate what are the “one or more output signal(s)”, is the “one output signal” one of the “an output signal from the digital input circuit” and “an output signal from the first latch circuit” or another “one output signal”.

Claim 41, lines 14-16: the terms of “the one or more output signal(s)” lack antecedent bases.

Claims 16-21 are dependent on the rejected claim 15.

#### ***Allowable Subject Matter***

6. Claims 1-13 are allowed.
7. Claims 14, 23-26, and 33-35 would be allowable if rewritten to overcome the objections listed in the paragraphs 2 and 3 of this Office action.
8. Claims 15-22, 36-38, 40 and 41 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
9. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fails to teach or suggest, alone or in a combination, among other things, at least a digital circuitry or a digital-analog converter circuit as a whole, the combination of elements and features, which includes an input signal processing circuit clocked by a first clock signal, outputting signals to the first latch (or the first clock element) clocked by a second clock signal generated by a clock generator from the first clock signal, a second latch (or the second clock element) clock by a third signal generated by a clock generator from the first clock signal, receiving the outputs from the second latch that the first and the second latch operate between a responsive state and a non-responsive state by turns as cited in the claims; and an analog circuit connected to receive the outputs of the second latch.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edith M Chang whose telephone number is 571-272-3041. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayanti Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

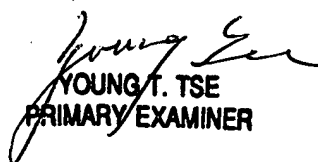
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Edith Chang

January 12, 2005

  
YOUNG T. TSE  
PRIMARY EXAMINER